

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KIRK SPANGLE, *et al.*,

Plaintiffs,

v.

FERGUSON ENTERPRISES, INC.,

Defendant.

NO. CV-08-168-RHW

**ORDER GRANTING
STIPULATED MOTION TO
DISMISS**

Before the Court is the parties' Stipulated Motion for Dismissal with Prejudice Between Clyde B. Kelly, Jane Doe Kelly, and Ferguson Enterprises, Inc. (Ct. Rec. 75). This motion was heard on an expedited basis without oral argument. The parties ask the Court to dismiss Plaintiff Kellys' claims against Defendant with prejudice.

Good cause appearing therefor, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Dismissal with Prejudice Between Clyde B. Kelly, Jane Doe Kelly, and Ferguson Enterprises, Inc. (Ct. Rec. 75) is **GRANTED.**

2. The above-entitled action as to Clyde B. Kelly, Jane Doe Kelly, and Ferguson Enterprises, Inc., and all causes therein, are hereby dismissed with prejudice and without costs. This does not include any dismissal of the claims or causes of action against Ferguson Enterprises, Inc., made by Plaintiff Kirk Spangle.

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IT IS SO ORDERED. The District Court Executive is directed to enter this Order and forward copies to counsel.

DATED this 28th day of May, 2010.

s/Robert H. Whaley
ROBERT H. WHALEY
United States District Judge

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